

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE: ARC AIRBAG
INFLATORS PRODUCTS
LIABILITY LITIGATION

MDL No. 3051

Case No: 1:22-MD-3051-ELR

District Judge Eleanor L. Ross

**SPECIALY APPEARING DEFENDANT VOLKSWAGEN
AKTIENGESELLSCHAFT’S UNOPPOSED
MOTION TO EXTEND ITS TIME TO RESPOND TO PLAINTIFFS’
CORRECTED CONSOLIDATED CLASS ACTION COMPLAINT**

Specially Appearing Defendant Volkswagen Aktiengesellschaft (“VWAG”) hereby moves to extend its time to respond to Plaintiffs’ Corrected Consolidated Class Action Complaint (“CAC”). In support thereof, it states as follows:

1. On August 28, 2023, Plaintiffs filed a Corrected Consolidated Class Action Complaint asserting claims against numerous Defendants, including VWAG. *See* ECF 157.

2. On January 9, 2025, Volkswagen AG received service of the CAC under the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents (the “Hague Convention”). Under Rule 12(a)(1)(A)(i), VWAG’s deadline to respond to the CAC is January 30, 2025.

3. VWAG intends to file a motion to dismiss for, among other potential defenses, lack of personal jurisdiction.

4. Under L.R. 7.1(B), Plaintiffs' deadline to oppose VWAG's forthcoming motion to dismiss is February 13, 2025.

5. VWAG would then have until February 27, 2025 to file its reply in support of its motion.

6. The Parties met and conferred regarding a proposed amended briefing schedule agreeable to both sides.

7. The parties agreed to the following:

Event	Current Deadline	Proposed Agreed Upon Deadline
Defendant's Motion to Dismiss	01/30/2025	02/28/2025
Plaintiffs' Opposition	02/13/2025	04/04/2025
Defendant's Reply	02/27/2025	05/02/2025

10. This request is submitted in good faith and is not intended to cause undue delay, unnecessary burden, or needless expense.

11. By filing this Motion, Specially Appearing Defendant VWAG does not waive any defenses, including its right to challenge personal jurisdiction or the sufficiency of service. *See* Fed. R. Civ. P. 12(h).

12. Plaintiffs do not oppose this motion. *See* Ex. A.

WHEREFORE, Specially Appearing VWAG respectfully requests, without opposition from Plaintiffs, that the Court extend VWAG's time to respond to the CAC and adopt the briefing schedule described in this motion.

Respectfully Submitted,

/s/ Michael B. Shortnacy

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CERTIFICATE OF COMPLIANCE

Pursuant to Local Rules 5.1 and 7.1, I certify that the foregoing memorandum was prepared using Times New Roman 14-point font.

Date: January 22, 2025

/s/ Michael B. Shortnacy
Michael B. Shortnacy

CERTIFICATE OF SERVICE

I certify that, on January 22, 2025, the foregoing document was served on all counsel of record via the court's CM/ECF e-filing system.

/s/ Michael B. Shortnacy
Michael B. Shortnacy